### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)

2001 ECF Case

This document relates to:

Federal Insurance Co., et al v. al Qaida, et al.

03 CV 06978 (RCC)

### **AFFIDAVIT OF SERVICE**

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK:

J. Scott Tarbutton, Esquire, hereby states that Plaintiffs' First Amended Complaint, Summons, Notice of Suit, and translations of each, filed in the above-captioned matter were served upon defendants, the Islamic Republic of Iran, the Republic of Sudan, and the Syrian Arab Republic.

Service was effectuated upon the Iranian Ministry of Foreign Affairs, as transmitted by the Foreign Interests Section of the Embassy of Switzerland in Teheran, on December 7, 2004, in accordance with the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608 et seq. True and correct copies of the Return of Service and supporting U.S. Department of State documents are attached hereto as Exhibit A.

Service was effectuated upon the Sudanese Ministry of Foreign Affairs, as transmitted by the American Embassy in Khartoum, Sudan, on November 30, 2004, in accordance with the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608 et seq. True and correct copies of the Return of Service and supporting U.S. Department of State documents are attached hereto as Exhibit B.

Service was effectuated upon the Syrian Ministry of Foreign Affairs by J. Michael McMahon, Clerk of the Court of the Southern District of New York, by registered mailing on June 4, 2004 (#RB 632 958 829), return receipt requested, pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608 *et seq*, and which was received and accepted by the Syrian Ministry of Foreign Affairs on June 15, 2004. True and correct copies of the Certificate of Mailing and Return Receipt for International Mail are attached hereto as Exhibit C.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained herein is true and correct.

Dated: Philadelphia, Pennsylvania September 8, 2005

J. Scott Tarbutton, Esq. (JT-34

COZEN O'CONNOR 1900 Market Street Philadelphia, PA 19103

Tel: (215) 665-2000

Sworn to before me this

day of \_\_

Notary Public

NOTARIAL SEAL

DENISE M PAGANO

Notary Public

CITY PHILADELPHIA, COUNTY PHILADELPHIA

My Commission Expires Aug 7, 2009

PHILA1\2331283\1 117430.000

### **EXHIBIT A**



### **United States Department of State**

Washington, D.C. 20520

January 13, 2005

Mr. Joseph LaMura Chief Deputy Clerk United States District Court Southern District of New York 500 Pearl Street New York, New York 10007

re: Federal Insurance Company, et al. v. al-Qaida, et al., Case Number 03-CV-6978 (RCC)

Dear Mr. LaMura:

I am writing regarding the Court's request for service of a summons, complaint and notice of suit pursuant to 28 U.S.C. 1608(a)(4) upon defendant the Islamic Republic of Iran in the above mentioned lawsuit. Because the United States does not maintain diplomatic relations with the government of Iran, the Department of State is assisted by the Foreign Interests Section of the Embassy of Switzerland in Teheran in delivering these documents to the Iranian Ministry of Foreign Affairs.

The documents were delivered to the Iranian Ministry of Foreign Affairs under cover of diplomatic note number 1050-IE dated December 7, 2004. While service under 28 U.S.C. 1608(a)(4) is effective upon delivery of the diplomatic note, the documents were subsequently returned to the Foreign Interests Section of the Swiss Embassy in Teheran.

In accordance with the procedures established for the implementation of the Foreign Sovereign Immunities Act, enclosed are two copies of the summons, complaint and notice of suit, one as proof of service and one returned to the Swiss Embassy, along with certified copies of the diplomatic notes used to transmit them.

Should you have any questions regarding this matter, please do not hesitate to contact me at (202) 736-9115.

William P. Fritzen

Attorney Adviser

Office of Policy Review and Interagency Liaison

**Enclosures As Stated** 



Embassy of the United States of America November 22, 2004 CONS NO. 14537

URGENT!

Federal Department of Foreign Affairs Foreign Interests Service Bundesgasse 32 3003 Bern

Subject: JUDICIAL ASSISTANCE: Summons, Complaint and Notice of Suit Pursuant to the Foreign Sovereign Immunities Act - Federal Insurance Company, et al. v. al-Qaida, et al., Case No. 03-CV-6978 (RCC) (SDNY)

REF: ----

The Department of State has requested the delivery of the enclosed Summons, Complaint and Notice of Suite to the Islamic Republic of Iran pursuant to the Foreign Sovereign Immunities Act in the matter of Federal Insurance Company, et al. v. al-Qaida, et al.; Case No. 03-CV-6978 (ROC) (SDNY).

The Embassy is herewith requesting the Swiss Ministry of Foreign Affairs to transmit the documents to the American Interests Section of the Swiss Embassy in Tehran. The American Interests Section should transmit the Summons, Complaint and Notice of Suite to the Islamic Republic of Iran under cover of a diplomatic note utilizing the language provided in the enclosed instruction.

Transmittal should be done in a manner which enables the Embassy to confirm delivery. The American Interests Section should execute the certification of the diplomatic note, which will be forwarded by the Department of State to the requesting court in the United States.

Enclosed is the appropriate part of a message the Embassy received from the Department of State as well as two sets of the Summons, Complaint and Notice of Suit for the Islamic Republic of Iran.

The Embassy would appreciate being informed of the date the American Interests Section of the Swiss Embassy in Tehran receives the documents as well as the date the Interests Section forwards the Summons, Complaint and Notice of Suit to the Iranian authorities.

SPP's speedy assistance is much appreciated.



### SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland )
Bern, Canton of Bern ) SS:
Embassy of the United States of America )

I certify that the annexed document bears the genuine seal of the Swiss Federal Department of Foreign Affairs.

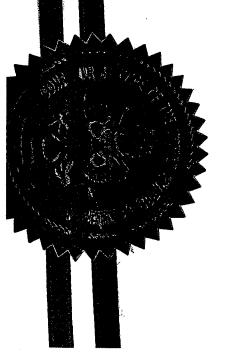
I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

(Signature of Consular Officer)

Christopher K. Derrick
(Typed name of Consular Officer)

Vice Consul of the United States of America (Title of Consular Officer)

December 27, 2004 (Date)





22404

### EIDGENÖSSISCHES DEPARTEMENT FÜR AUSWÄRTIGE ANGELEGENHEITEN

**DRINGEND** K.252.41 USA/IRAN 3

Das Eidgenössische Departement für auswärtige Angelegenheiten, bezieht sich auf die Note CONS No. 14537 vom 22. November 2004 sowie seine Note Nr. 22378 vom 13. Dezember 2004 betr. die Übermittlung von Gerichtsakten an das "Ministry of Foreign Affairs of the Islamic Republic of Iran to the lawsuit Federal Insurance Company, et al. v. al-Qaida, et al. which is pending in the U.S. Federal District Court fort the Southern District of New York, case No. 03-CV-6978 (RCC)." Das Departement beehrt sich, der Botschaft der Vereinigten Staaten von Amerika, in der Beilage den ersten und zweiten Satz der Unterlagen zuzustellen, die es vom Dienst für amerikanische Interessen der Schweizerischen Botschaft in Teheran zurückerhalten hat.

- 2 Sätze Gerichtsakten JUDICIAL ASSISTANCE: Summons, Complaint and Notice of Suit Pursuant to the Foreign Sovereign Immunities Act Federal Insurance Company, et al. v. al-Qaida, et al, Case No 03-CV-6978 (RCC) (SDNY)
- "Proof of Service", datiert vom 12. Dezember 2004.+

Der genannte Dienst hat die oben erwähnten Gerichtsakten samt seiner Note Nr. 1050-IE datiert vom 7. Dezember 2004, ohne Kommentar seitens des iranischen Aussenministeriums zurückerhalten. Die Bestätigung des 'proof of service' ist datiert vom 12. Dezember 2004 und die Legalisierung wurde am 21. Dezembern 2004 in Bern vorgenommen.

Das Departement benützt auch diesen Anlass, um die Botschaft seiner ausgezeichneten Hochachtung zu versichern.

Bern, 22. Dezember 2004

Beilagen erwähnt

An die Botschaft der Vereinigten Staaten von Amerika Informal Embassy translation from the German of SPP Note No. 22404 dated December 22, 2004:

"The Federal Department of Foreign Affairs, referring to Embassy's notes Nos. 1453 of November 22, 2004 and its Note No. 22378 of December 13, 2004 concerning the transmission of the court documents in the case Federal Insurance Company, et al. v. al-Qaida, et al., has the honor to submit to the Embassy of the Untied States of America the following enclosures received from the American Interests Section of the Swiss Embassy in Tehran.

- Court documents: Judicial Assistance: Summons, Complaint and Notice of Suit Pursuant to the Foreign Sovereign Immunities Act - Federal Insurance Company, et al. v. al-Qaida, et al. Case No. 03-CV-6978 (RCC) (SDNY)
- 'Proof of service' dated December 12, 2004.

The Interests Section received back the above mentioned court documents as well as its Notes No. 1050-IE dated December 7, 2004 from the Iranian Ministry of Foreign Affairs with no comments. The confirmation of the 'proof of service' is dated December 12, 2004 and the legalization was done in Bern on December 21, 2004.

Complimentary close.

Bern, December 22, 2004

Enclosures as stated

### SPECIFIC AUTHENTICATION CERTIFICATE

Confederation of Switzerland )
Bern, Canton of Bern ) SS:
Embassy of the United States of America )

I certify that the annexed document is executed by the genuine signature and seal of the following named official who, in an official capacity, is empowered by the laws of Switzerland to execute that document.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Ruth EGGER (Typed name of Official who executed the annexed document)

(Signature of Consular Officer)

Christopher K. Derrick
(Typed name of Consular Officer)

Vice Consul of the United States of America
(Title of Consular Officer)

December 27, 2004 (Date)



### **EMBASSY OF SWITZERLAND**

No. 1050-IE

The Embassy of Switzerland, Foreign Interests Section, in Tehran presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honor to refer the Ministry of Foreign Affairs of the Islamic Republic of Iran to the lawsuit Federal Insurance Company, et al. v. al-Qaida, et al. which is pending in the U.S. Federal District Court for the Southern District of New York, case No. 03-CV-6978 (RCC). The Islamic Republic of Iran is a defendant in this case. The Foreign Interests Section herewith transmits a summons and complaint herewith. The U.S. Federal District Court has requested the transmittal of these documents. This note constitutes transmittal of these documents upon the Government of the Islamic Republic of Iran as contemplated in Title 28, United States Code, Section 1608 (a)(4) and 1608(e).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the complaint or some other responsive pleading within 60 days for the date of transmittal of the complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the Foreign Interests Section requests that the enclosed summons and complaint be forwarded to the appropriate authority of the Islamic Republic of Iran with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the summons and complaint, the Foreign Interests Section is enclosing a notice of suit prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States.

The Foreign Interests Section has been advised that under the laws of the United States, any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. Otherwise proceedings will continue without an opportunity to present arguments or evidence. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

The Embassy of Switzerland, Foreign Interests Section, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

#### Attachments:

- 1 Summons, Complaint, Notice of Suit
- 2 Translations

Tehran – December 07, 2004 (Azar 17, 1383)

Ministry of Foreign Affairs of the Islamic Republic of Iran Tehran

I, Ernst Hofstetter, Head of the Foreign Interests Section, Embassy of Switzerland, in Tehran, certify that this is a true copy of the Embassy of Switzerland, Foreign Interests Section diplomatic note number 1050-IE dated December 07, 2004, and delivered to the Ministry of Foreign Affairs of the Islamic Republic of Iran on December 12, 2004.

**Ernst Hofstetter** 

Head of Foreign Interests Section

Tehran – December 12, 2004

Discernice: 07 SAVA and delive

(Convention de la Haye du 5 octobre 1961)

1. Country: SWISS CONFEDERATION

This public document

2. has been signed by

E. Hofstetter

- 3. acting in the capacity of officers
- 4. bears the seal/stamp of

Embassy of Switzerland US Interests Section Tehran

### stanno i Hiller ini dia Postano nierama Madiunti Emitoda Certified

at Berne 6. the 21 December 2004

7. by Ruth Egger

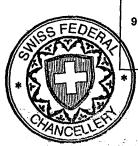
functionary of the Swiss federal Chancellery

8. No. 10964

9. Seal/stamp:

10. Signature:

Swiss federal Chancellery



### SPECIFIC AUTHENTICATION CERTIFICATE

I, Christopher K. DERRICK, a consular officer at the Embassy of the United States at Bern, Switzerland, certify that this is a true copy of Embassy note number 14537 dated November 22, 2004, which was transmitted to the Swiss Ministry of Foreign Affairs on November 23, 2004 for further transmission to the American Interests Section of the Swiss Embassy in Tehran, Iran.

(Signature of Consular Officer)

Christopher K. DERRICK
(Typed name of Consular Officer)

Vice Consul of the United States of America (Title of Consular Officer)

December 27, 2004 (Date)

## **EXHIBIT B**



### **United States Department of State**

Washington, D.C. 20520

December 10, 2004

Mr. Joseph LaMura Chief Deputy Clerk United States District Court Southern District of New York 500 Pearl Street New York, New York 10007

re: Federal Insurance Company, et al. v. al-Qaida, et al., Case Number 03-CV-6978 (RCC)

Dear Mr. LaMura:

I am writing regarding the Court's request for transmittal of a summons, complaint, and notice of suit to the Republic of Sudan pursuant to 28 U.S.C. Section 1608(a)(4) as a defendant in the above referenced case.

The American Embassy in Khartoum, Sudan transmitted the summons, complaint and notice of suit to the Ministry of Foreign Affairs of the Republic of Sudan under cover of a diplomatic note No. CONS/11/29/2004/636 dated November 29, 2004. A certified copy of the Embassy's diplomatic note, and a copy of the documents transmitted to the Ministry of Foreign Affairs are enclosed herewith in accordance with the procedures established for the implementation of the Foreign Sovereign Immunities Act.

Should you have any questions regarding this matter, please do not hesitate to contact me at (202) 736-9115.

Sincerely,

William P. Fritzlen

Attorney Adviser

Office of Policy Review and Interagency Liaison

Enclosures As Stated

cc: J. Scott Tarbutton

Cozen O'Connor Attorneys

1900 Market Street

Philadelphia, PA 19103-3508



Republic of Sudan )	
State of Khartoum ) S	SS
City of Khartoum	
Embassy of the United States of America	

I, Allen J. Kepchar, Consular Officer of the United States of America in Khartoum, Sudan, certify that this is a true copy of the Embassy of the United States of America, diplomatic note number CONS/11/29/2004/636 dated November 29, 2004 and delivered to the Ministry of Foreign Affairs of the Republic of Sudan on November 30, 2004.

(Signature)

ALLEN J. KEPCHAR CONSULAR OFFICER

November 30, 2004



Embassy of the United States of America
Khartoum, Sudan

#### CONS/11/29/2004/636

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Sudan and has the honor to refer the Ministry to the lawsuit entitled "Federal Insurance Company, et al. v. Al-Qaida, et al.," which is pending in the Federal District Court for the Southern District of New York, Case No. 3-CV-978 (RCC) in which the Government of the Republic of Sudan is a defendant.

The Embassy herewith transmits a Notice of Suit with summons and complaint. This note constitutes transmittal of these documents to the Government of Sudan as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable United States law a defendant in a lawsuit must file an answer to the complaint or some other responsive pleading within sixty (60) days from the date of transmittal of the complaint (i.e., the date of this Diplomatic Note) or face the possibility of having final judgment entered against it without the opportunity of presenting evidence or arguments in its behalf. Accordingly, the Embassy requests that the enclosed summons, complaint and notice of suit be forwarded to the appropriate authority of the Republic of Sudan with a view towards taking whatever steps are necessary to avoid a default judgment.

Under the laws of the United States, any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to

consult an attorney in the United States. Otherwise, proceedings will continue without an opportunity to present evidence or possible defenses. Consistent with practice, the United States Department of State is available to discuss with counsel the requirements of U.S. law. The United States Government is not a party to this litigation and cannot represent other parties in this matter.

In addition to the summons and complaint, the Embassy is enclosing a notice of suit prepared by the plaintiff, which summarizes the nature of the case and includes references to pertinent U.S. laws concerning suits against foreign states.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Sudan the assurances of its highest consideration.

Embassy of the United States of America November 29, 2004



#### Attachments:

- 1. Summons, Complaint and Notice of Suit
- 2. Translations into Arabic

## **EXHIBIT C**

UNITED STATES DISTRICT SOUTHERN DISTRICT OF N		U.S. DISTRICT COURT
Federal Insurance Co., et al	laintiff,	2004 JUN -4 P 12: 58 CERTIFICATE OF MAILING S.D. OF N.Y.
-V-		#133
Al Qaida, et al	/	
D	efendants	
		03CV 6978 (RCC)
	SUMMONS & CO NOTICE OF AND AFFIDAVIT OF filed and issued he	SUIT TRANSLATOR
•	Sept. 10, 2	2004
Pursuant to the foreign sovereign immurequested, at the United States Post Off enclosed in a post-paid wrapper address	ice, Chinatown Station,	08(a)(3), by mailing by registered mail, return receipt New York, NY, a copy of each thereof, securely
	See attached for listing	of Defendants
That annexe	ed to the original hereof	is registered mail receipt(s)
RB 632 958 8-29	#	#
#	#	#

(Chinatown Station) that was issued at my request as aforementioned,

Station of the station of the state of

## United States District Court

IN RE TERRORIST ATTACK ON SEPTEMBER 11, 2001	SUPPLEMENTAL	
Federal Insurance Company, et al.	SUMMONS I	N A CIVIL CASE
<b>v.</b>	CASE NUMBER:	03 MD 1570 03CV6978 RCC
al-Qaida, et al.		
•		
TO: (Name and address of defendant)		
ALL DEFENDANTS ON ATTACHE	D RIDER	
YOU ARE HEREBY SUMMONED and requir	red to serve upon PLAINTIFF'S	S ATTORNEY (name and address)
Michael J. Sommi, Esq. Cozen O'Connor 45 Broadway Atrium Suite 1600		
New York, NY 10006		
		•
answer to the complaint which is herewith served upon mmons upon you, exclusive of the day of service. It relief demanded in the complaint. You must also fill time after service.	If you fail to do so, judgment b	y default will be taken against you fo
J. MICHAEL McMAHON	IMAR 1	0 2004
Melanie L. Lopey	DATE	

	RETURN OF SERVICE		
Ser	vice of the Summons and Complaint was made by me <sup>1</sup>	DATE	
	OF SERVER (PRINT)	TITLE	
Che	eck one box below to indicate appropriate method of service		
	Served personally upon the defendant. Place where served:		
	Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left:		
	Returned unexecuted:		
	Other (specify):		
TRAVEL	STATEMENT OF SERVICE FI	EES TOTAL	
	DECLARATION OF SERVE		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.			
	Executed on	f Server	
	Address of	Server .	
		,	

### Case 1:03-md-01570-GBD-SN Dor Dor 1208 Filed 09/08/05 Page 23 of 44

Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

al Qaida

Egyptian Islamic Jihad

Asbat al-Ansar

Al Gama'a al-Islamiyya

Salafist Group for Call and Combat

Lashkar I Janghvi

Lashkar-e Tayyiba

Jemaah Islamiya Organization

Lebanese Hezbollah

Abu Sayef Group

Algerian Armed Islamic Group

Hamas

Palestine Islamic Jihad

The Islamic Republic of Iran

Republic of Iraq

The Republic of the Sudan

Syrian Arab Republic

The Kingdom of Saudi Arabia

Usama bin Laden

Muhammad Atif a/k/a Subhi Sitta a/k/a Abu Hafs al-Masri

Sayf al-Adl

Shaykh Sa'id a/k/a Mustafa Muhammad Ahmad

Abu Hafs the Mauritanian a/k/a Mahfouz Ould al-Walid a/k/a Khalid al-Shangiti

Ibn al-Shaykh al-Libi

Abu Zubaydah a/k/a Zayn al Abidin Muhammad Husayn Tariq

Abu al-Hadi al-Iragi a/k/a Abu Abdullah

Ayman al-Zawahiri

Thirwat Salah Shihata

Tariq Anwar al-Sayyid Ahmad a/k/a Fathi a/k/a Amr al-Fatih

Muhammad Salah

Makhtab Al-Khidamat a/k/a Al-Khifaf

Al-Itihaad al-Islamiya (AIAI)

Islamic Army of Aden

Wafa Humanitarian Organization

Al-Rashid Trust

Mamoun Darkazanli Import-Export Company

Nurjaman Riduan Ismuddin a/k/a Hambali

Mohammed Iqbal Abdurrahman a/k/a/ Abu Jibril

Benevolence International Foundation

Benevolence International Fund

Bosanska Idealna Futura

Global Relief Foundation a/k/a Foundation Secours Mondial

Mounir El Motassadeq

Ramzi Binalshibh

Said Bahaji

**Turkistan Islamic Movement** 

Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 24 of 44 Federal Insurance Company et al., v al Qaida et al.

03 cv 6978 (RCC)

Wa'el Hamza Julaidan

Adel Ben Soltane

Nabil Benattia

Yassine Chekkouri

Riadh Jelassi

Mendi Kammoun

Samir Kishk

Tarek Ben Habib Maaroufi

Abdelhalim Remadna

Mansour Thaer

Lazhar Ben Mohammed Tlili

Habib Waddani

Akida Bank Private Limited

Akida Investment Co

Nasreddin Group International Holding Ltd.

Nasco Nasreddin Holding A.S.

Nascotex S.A.

Nasreddin Foundation

BA Taqwa for Commerce and Real Estate Company Ltd.

Miga - Malaysian Swiss, Gulf and African Chamber

Gulf Center S.R.L.

Nascoservice S.R.L.

Nasco Business Residence Center SAS Di Nasreddin Ahmed Idris EC

Nasreddin Company Nasco SAS Di Ahmed Idris Nassneddin EC

Nada International Anstalt

Nasreddin International Group Limited Holding

The Aid organization of the Ulema

Ahmed Idris Nasreddin

Youssef Nada

Abdelkadir Mahmoud Es Sayed

Khalid Al-Fawaz

Abu Hamza Al-Masri

Mohamed Ben Belgacem Aouadi

Mokhtar Boughougha

Tarek Charaabi

Sami Ben Khemais Essid

Lased Ben Heni

Somalia Branch of the Al-Haramain Islamic Foundation

Bosnia-Herzegovina branch of Al-Haramain Islamic Foundation

Umma Tameer-E-Nau (UTN)

Bashir-Ud-Din Mahmood

Abdul Maieed

S.M. Tufail

Al-Barakaat

Al Tagwa/Nada Group

Aaran Money Wire Service Inc.

## Case 1:03-md-01570-GBD-SN DocuMER1208 Filed 09/08/05 Page 25 of 44 Federal Insurance Company et al., v al Qaida et al.

03 cv 6978 (RCC)

Al Baraka Exchange LLC

Al Barakaat Bank

Al-Barakat Bank of Somalia (BSS)

Al-Barakat Finance Group

Al-Barakat Financial Holding Co.

Al-Barakat Global Telecommunications

Al-Barakat Group of Companies Somalia Limited

Al-Barakat International a/k/a Baraco Co

Al-Barakat Investments

Al-Barakat Wiring Service

Al Taqwa Trade, Property and Industry Company Limited

**ASAT Trust** 

Bank of al Tagwa Limited

**Baraka Trading Company** 

**Barakaat Boston** 

**Barakaat Construction Company** 

**Barakaat Enterprise** 

**Barakaat Group of Companies** 

Barakaat International

**Barakaat International Foundation** 

Barakaat International, Inc.

Barakaat North America, Inc.

**Barakaat Red Sea Telecommunications** 

Barakaat Telecommunications Co. Somalia

**Barakat Bank and Remittances** 

**Barakat Computer Consulting (BCC)** 

Barakat Consulting Group (BCG)

Barakat Global Telephone Company

Barakat International Companies (BICO)

**Barakat Post Express (BPE)** 

**Barakat Refreshment Company** 

**Barakat Wire Transfer Company** 

**Barakat Telecommunications Company Limited (BTELCO)** 

Barako Trading Company, LLC

**Global Services International** 

Heyatul Ulya

Nada Management Organization

Parka Trading Company

Red Sea Barakat Company Limited

Somalia International Relief Organization

Somalia Internet Company

Somalia Network AB

Youssef M Nada & Co. Gesellschaft MBH

Hussein Mahmud Abdullkadir

Abdirasik Aden

Abbas Abdi Ali

### Case 1:03-md-01570-GBD-SN Dortoberot 1208 Filed 09/08/05 Page 26 of 44

Federal Insurance Company et al., v al Qaida et al.

03 cv 6978 (RCC)

Abdi Adulaziz Ali

Yusaf Ahmed Ali

Dahir Ubeidullahi Aweys

Hassan Dahir Aweys

Garad Jama

Ali Ghaleb Himmat

Albert Fredrich Armand Huber

Liban Hussein

Ahmed Nur Ali Jim'ale

Abdullahi Hussein Kahie

Mohammed Mansour

Zeinab Mansour-Fattah

Abdullah Ahmed Abdullah a/k/a Abu Mariam a/k/a Abu Mohamed Al-Masri a/k/a Saleh

Haji Abdul Manan Agha a/k/a Abd Al-Man'am Saiyid

Al-Hamati Sweets Bakeries

Muhammad Al-Hamati a/k/a Mohammad Hamdi Sadiq Al-Ahdal a/k/a Abu Asim Al-Makki; Mohammed Hamdi al-Ahdal

Amin Al-Hag a/k/a Dr. Amin Ah Hag a/k/a Muhammad Amin a/k/a Dr. Amin Ul-Hag Sagar Al-Sadawi

Ahmad Sa'ld Al-Kadr a/k/a Abu Abd Al-Rahman Al-Kanadi

Anas Al-Liby a/k/a Anas Al-Libi a/k/a Nazim Al-Raghie a/k/a Nazih Abdul Hamed Al-Raghie a/k/a Anas Al-Sabai

Ahmad Ibrahim Al- Mughassil a/k/a Abu Omran a/k/a Ahmed Ibrahim Al-Mughassil Abdelkarim Hussein Mohamed Al-Nasser

Al-Nur Honey Press Shops a/k/a Al-Nur Honey Center

Yasin Al-Qadi

Sa'D Al-Sharif

Al-Shifa' Honey Press for Industry and Commerce

Ibrahim Salih Mohammed Al-Yacoub

Ahmed Mohammed Hamed Ali a/k/a Ahmed Mohammed Abdurehman a/k/a Abu Fatima a/k/a Abu Islam a/k/a Abu Khadiijah a/k/a Ahmed Hamed a/k/a Ahmed the Egyptian a/k/a Ahmed Ahmed a/k/a Ahamad Al-Masri a/k/a Abu Islam Al-Surir a/k/a Ahmed Mohammed Ali a/k/a Hamed Ali a/k/a Ahmed Hemed a/k/a Ahmed Shieb a/k/a Shuaib

Ali Atwa a/k/a Ammar Mansour Bouslim a/k/a Hassan Rostom Salim

Muhsin Musa Matwalli Atwah a/k/a Abdel Rahman a/k/a Abdul Rahman a/k/a Abdul Rahman Al-Muhajir a/k/a Mohammed K.A. Al-Namer

Bilal Bin Marwan

Ayadi Chafiq Bin Muhammad a/k/a Ben Muhammad Aiadi a/k/a Ben Muhammad Alady a/k/a Ben Muhammad Ayadi Chafik a/k/a Ben Muhammad Ayadi Shafiq Mamoun Darkazanli

Ali Saed Bin Ali El-Hoorie a/k/a Ali Saed Bin Ali Al-Houri a/k/a Ali Saed Bin Ali El-Houri

Mustafa Mohamed Fadhil a/k/a Abd Al Wakil Al Masri a/k/a Abu Al-Nubi a/k/a Hassan Ali a/k/a Abu Anis a/k/a Moustafa Ali Elbishy a/k/a Mustafa Muhamad Fadil a/k/a

# Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 27 of 44 Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Mustafa Fazul a/k/a Hussein a/k/a Abu Jihad a/k/a Khalid a/k/a Nu Man a/k/a Mustafa Mohammed a/k/a Abu Yussrr

Ahmed Khalfan Ghailani a/k/a Ahmed the Tanzanian a/k/a Foopie a/k/a Fupi a/k/a Abu Bakr Ahmad a/k/a A. Ahmed a/k/a Abubakar Ahmed a/k/a Abubakar K. Ahmed a/k/a Abubakar Khalfan Ahmed a/k/a Abubakary K. Ahmed a/k/a Ahmed Khalfan Ahmed a/k/a Ahmad Al Tanzani a/k/a Ahmed Khalfan Ali a/k/a Abu Bakr a/k/a Abubakary Khalfan Ahmed Ghailani a/k/a Ammed Ghailani a/k/a Ahmad Khalafan Ghilani a/k/a Mahafudh Abubakar Ahmed Abdallah Hussein a/k/a Abu Khabar a/k/a Ahmed Khalfan a/k/a Shariff Omar Mohammed

Riad Hijazi a/k/a Abu-Ahmad Al-Amriki a/k/a Abu-Ahmad Al-Hawen a/k/a Rashid Al-Maghribi a/k/a Abu-Ahmad Al-Shahid a/k/a M Raed Hijazi

Hasan Izz-Al-Din a/k/a Ahmed Garbaya a/k/a Sa-Id a/k/a Samir Salwwan Jaish-I-Mohammed a/k/a Army of Mohammed

Jam'Yah Ta'Awun Al-Islamia a/k/a Jam'Iyat Al Ta'Awun Al Islamiyya a/k/a JIT a/k/a Society of Islamic Cooperation

Mufti Rashid Ahmad Ladehyanoy a/k/a Mufti Rasheed Ahma a/k/a Mufti Rashid Ahmad Ludhianvi a/k/a Mufti Rashid Ahmad Wadehyanoy

Fazul Abdullah Mohammed a/k/a Fazul Abdalla a/k/a Fazul Adballah a/k/a Abu Aisha a/k/a Abu Seif Al Sudani a/k/a Fadel Abdallah Mohammed Ali a/k/a Abdalla Fazul a/k/a Abdallah Fazul a/k/a Abdallah Mohammed Fazul a/k/a Haroon Fazul a/k/a Haron a/k/a Haron a/k/a Haron a/k/a Haron a/k/a Fazul Mohammed a/k/a Fazul Abdilahi Mohammed a/k/a Fouad Mohammed a/k/a Fadil Abdallah Muhamad

Khalid Shaikh Mohammed

Fahid Mohammed Ally Msalam a/k/a Usama Al-Kini a/k/a Fahid Mohammed Ally a/k/a Fahad Ally Msalam a/k/a Fahid Mohammed Ali Msalam a/k/a Mohammed Ali Msalam a/k/a Fahid Mohammed Ali Musalaam a/k/a Fahid Muhamad Ali Salem Rabita Trust

Ansar al-Islam (AI) a/k/a Jund al-Islam

Youssef Abdaoui a/k/a Abu Abdullah a/k/a Abdellah a/k/a Abdullah Mohammed Amine Akli

Mohrez Amdouni a/k/a Fabio Fusco a/k/a Mohammed Hassan a/k/a Tuale Abu Chiheb Ben Mohamed Ayari a/k/a Abu Hohem Hichem

Mondher Baazaoui a/k/a Hamza

Lionel Dumont a/k/a Bilal a/k/a Hamza a/k/a Jacques Brougere

Moussa Ben Amor Essaadi a/k/a Dah Dah a/k/a Abdelrahmman a/k/a Bechir

Rachid Fehar a/k/a Aminedel Belgio a/k/a Djaffar

Brahim Ben Hedili Hamami

Khalil Jarraya a/k/a Khalil Yarraya a/k/a Aziz Ben Narvan Abdel' a/k/a Amro a/k/a Omar a/k/a Amrou a/k/a Amr

Mounir Ben Habib Jerraya

Fouzi Jendoubi aka Said / aka Samir

Fethi Ben Rebai Masri a/k/a Amor a/k/a Omar Abu a/k/a Fethi Alic

Najib Ouaz

Ahmed Hasni Rambo a/k/a Abdallah a/k/a Abdullah

Nedal Saleh a/k/a Hitem

### Case 1:03-md-01570-GBD-SN DOCIDER 1208 Filed 09/08/05 Page 28 of 44

Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Abdelghani Mzoudi

Gulbuddin Hekmatyar

Imad Mughniyeh

**Muhammad Omar** 

Islamic International Brigade

Special Purpose Islamic Regiment

Riyadus-Salikhin Recognizance and Sabotage Battalion of Chechen Martyrs

Princess Haifa Al-Faisal

Prince Bandar Iban Sultan

Osama Bassnan

Fahad Al-Thumairy

World Assembly of Muslim Youth

Sheikh Ahmed Salim Swedan

Muhammad Abu-Islam

Abdullah 'Qassim

Hashim Abdulrahman

Jamal Al-Badawi

Mohammed Omar Al-Harazi

Walid Al-Sourouri

Fatha Adbul Rahman

Yasser Al-Azzani

Jamal Bakhorsh

Ahmad Al-Shinni

**Jamil Qasim Saeed** 

Abu Abdul Rahman

**Mohamed Bayazid** 

Abu Musab Zarqawi

Sheikh Omar Bakri Muhammad

Abdul Fattah Zammar

Ghasoub Al Abrash Ghalyoun a/k/a Abu Musab

Bensayah Belkacem

Sabir Lamar

Wadih El-Hage

Wali Khan Amin Shah

Zacarias Moussaoui

The Taliban

Maulvi Abdul Kabir

Jalil Shinwari

Noor Jalil

**Abdel Hussein** 

Adu Agab

**National Islamic Front** 

Hassan Turabi

Iss El-Din El Sayed

Lashkar Redayan-E-Islami

Ahmad Salah a/k/a Salim

Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 29 of 44 Federal Insurance Company et al., v al Qaida et al.

03 cv 6978 (RCC)

Abd Al-Mushin Al-Libi

Abdul Rahman Khaled Bin Mahfouz

Abdul Rahman Yasin

Abdulla Al Obaid

Abdula Bin Laden

**Advice and Reformation Committee** 

**Afghan Support Committee** 

Al Khaleejia for Expert Promotion and Marketing Company

Al-Haramain Islamic Foundation

**Enaam M Arnanout** 

International Development Foundation

International Islamic Relief Organization

International Institute of Islamic Thought

Islamic Cultural Institute of Milan

Jamal Barzinji

Khaled Bin Mahfouz

Mohammed Jamal Khalifa

Mohammed Salim Bin Mahfouz

Muslim World League

**National Commercial Bank** 

Prince Nayef Bin Abdulaziz Al Saud

Prince Sultan Bin Abdulaziz Al Saud

Rabih Haddah

**SAAR Foundation** 

Saudi Sudanese Bank

Al Shamal Islamic Bank a/k/a Shamel Bank a/k/a Bank El Shamar

Sheikh Abu Bdul Aziz Nagi

Sheik Adil Galil Batargy a/k/a Adel Abdul Jalil Batterjee

Suleiman Abdel Aziz Al Raihi

Taba Investments

**Tanzanite King** 

**Ulema Union of Afghanistan** 

Wadi Al Aqiq

Infocus Tech of Malaysia

Yazid Sufaat of Kuala Lumpur Malaysia

Al-Shaykh Al-Iragi

**Azzam Service Center** 

Abu Hajer Al Iragi

Prince Mohammed Al Faisal Al Saud

Al-Hijrah Construction and Development Limited

**Gum Arabic Company Limited** 

Al Shamal For Investment and Development

Saleh Abdullah Kamel

Al Baraka Investment and Development Company

Saudi Dallah Al Baraka Group LLC

Islamic Investment Company of the Gulf

### Case 1:03-md-01570-GBD-SN DRIDERNT 1208 Filed 09/08/05 Page 30 of 44

Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Dar-Al-Maal Al Islami

Al-Bir Saudi Organization

Mohammad S. Mohammad

Tadamon Islamic Bank

Mustasim Abdel-Rahim

National Fund for Social Insurance

**Abdul-Rahim Mohammed Hussein** 

Al Amn Al-Dakhili

Al Amn Al-Khariji

Abd Al Samad Al-Ta'lsh

Mohamed Sadeek Odeh

Abdel Barry

Mahdi Chamran Savehi

Mohammed Sarkawi

Al Tawhid

Haji Mohamad Akram

Abdallah Omar

**Umar Faruq** 

Abd Al-Rahim Al-Nashiri

Prince Turki Al Faisal Al Saud

Prince Abdullah Al Faisal Bin Abdulaziz Al Saud

Prince Salmin Bin Abdul Aziz Al Saud

Mullah Kakshar

Abdulaziz Bin Abdul Rahman Al Saud

Haydar Mohamed Bin Laden

Mohammed Bin Abdulrahman Al Ariefy

Faisal Group Holding Company

Alfaisaliah Group

**Bashsh Hospital** 

Mushayt for Trading Establishment

Abdullah Bin Abdul Muhsen Al Turki a/k/a Al Turki

Saudi High Commission

Abdul Aziz Al Ibrahim a/k/a Al Ibrahim

Tarek Ayoubi

Al Anwa

Help African People

Ibrahim Bin Abdul Aziz Al Ibrahim Foundation

**Mercy International Relief Agency** 

Islamic Movement of Uzbekistan

Saudi Bin Laden Group

Bakr M. bin Laden

Salem Bin Laden

Saleh Gazaz

Mohammed Bahareth

Abdullah Bin Said

Mohammed Nur Rahmi

### Case 1:03-md-01570-GBD-SN Docu**RIPER**1208 Filed 09/08/05 Page 31 of 44

Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Tarek M. Bin Laden

Omar M. Bin Laden

Mohammed Bin Laden Organization

Saudi Bin Laden International Company

Yeslam M Bin Laden

**Global Diamond Resource** 

**Human Concern International Society** 

**Talal Mohammed Badkook** 

Dr. Mohaman Ali Elgari

**New Diamond Holdings** 

M.M. Badkook Company for Catering & Trading

Al-Mustaqbal Group

**National Management Consultancy Center** 

Al-Rajhi Banking & Investment Corporation

Saleh Abdulaziz Al-Rajhi

Abdullah Sulaiman Al-Rajhi

Khalid Sulaiman Al-Rajhi

Al-Watania Poultry

Mar-Jac Poultry

Mar-Jac Investments, Inc.

**Piedmont Poultry** 

Salim Bin Mahfouz

**SNCB Corporate Finance Limited** 

**SNCB Securities Limited in London** 

**SNCB Securities Limited in New York** 

Saudi Economic and Development Company

**Zakat Committee** 

Red Crescent Saudi Committee

**Blessed Relief Foundation** 

Abdulkarim Khaled Uusuf Abdulla

Al-Birr

Hisham Amanout

Hezb-e-Islami

Saif Al Islam El Masry

**Syed Suleman Ahmer** 

Mazin M.H. Bareth

Shahir Abdulraoof Batteriee

Zahir H. Kazmi

Muzaffar Kahn

Soliman J. Khudeira

Jamal Nyrabeh

Ahmad Ajaj

**Success Foundation** 

Abdul Rahman Alamoudi

**American Muslim Foundation** 

**Mohammed Omeish** 

## Case 1:03-md-01570-GBD-SN Deliver 1208 Filed 09/08/05 Page 32 of 44 Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Adnan Basha

Mahmoud Jaballah

Arafat El-Ashi

Moro Islamic Liberation Front

**Jamal Ahmed Mohammed** 

Mohammed Khatib

Saudi Joint Relief Committee

Taibah International Aid Association

Islamic African Relief Agency

Tarik Hamdi

Fazeh Ahed

Sanabil Al-Khair '

Sana-Bell, Inc.

Sanabel Al-Kheer, Inc.

Khaled Nouri

Abdullah M Al-Mahdi

Tareq M Al-Swaidan: Abdul Al-Moslah

Salah Badahdh

Hassan A.A Bahfzallah

M. Yaqub Mirza

Ihab Ali

Samir Salah

Ibrahim Hassabella

Hisham Al-Talib

Abu Sulayman

Ahmed Totonii

**Igbal Yunus** 

M. Omar Ashraf

Mohammed Jaghlit

**Muhammad Ashraf** 

Sherif Sedky

**African Muslim Agency** 

Aradi, Inc.

Grove Corporate, Inc.

Heritage Education Trust

Mena Corporation

Reston Investments, Inc.

Safa Trust

Sterling Charitable Gift Fund

**Sterling Management Group** 

York Foundation

**National Development Bank** 

Dallah Avco Trans Arabia Co. Ltd.

Omar Al Bayoumi a/k/a Abu Imard

Masjed Al Madinah Al Munawarah a/k/a Masjid Al Madinah Al Munawarah

Aqsa Islamic Bank

### Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 33 of 44

Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Ageel Al-Ageel

Mansouri Al-Kadi

Soliman H.S. Al-Buthe

Perouz Seda Ghaty

Ahmed Ibrahim Al Najjar

Adel Muhammad Sadiq Bin Kazem

Saudi American Bank

Abdulaziz Bin Hamad

Khalil A. Kordi

Rashid M Al Romaizan

Abdulaziz Bin Hamad Al Gosaibi

Saudi Cement Company in Damman

Omar Sulaiman Al-Rajhi

**Arab Cement Company** 

Zeinab Mansour-Fattouh

Mohammed Chehade

Hazem Ragab

Mohammed Alchurbaji

Mustafa Al-Kadir

Abu Al-Maid

Sulaiman Al-Ali

Muslim World League NY Offices

Abdullah Bin saleh Al-Obaid

Taha Jaber Al-Alwani

Ibrahim S Abdullah

Mohammed Bin Faris

Dr. Mahmoud Dakhil

Abdul Rahman Al Swailem

**Delta Oil Company** 

Nimir, LLC

Arab Bank, PLC

**Dubai Islamic Bank** 

Nada Management Organization, SA

Ary Group

Islamic Cultural Center of Geneva

Hani Ramadan

The Committee for the Defense of Legitimate Rights

Proyectos Y Promociones Iso

Afamia, SL

Cobis

**Abrash Company** 

Promociones Y Construcciones Tetuan Pricote, S.A.

**Contratas Gioma** 

Eurocovia Obras, S.A.

Proyectos Y Promociones Pardise, S.L.

Proyectos Edispan

## Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 34 of 44 Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Ghasoub Al Abrash

Mustaf Ahmed Al-Hisawi a/k/a Sheik Saeed

Imad Eddin Barakat Yarkas a/k/a Abu Dahdah

Muhammed Galeb Kalaje Zuoyadi a/k/a Abu Talha

**Bassam Dalati Satut** 

Abdalrahman Alarnout Abu Aljer a/k/a Abu obed

Mohammed Khair Al Saqqa a/k/a Abu Al Darda

Mohammed Ali Sayed Mushayt

Mohammed Hussein Al-Amoudi

Abu Qatada Al-Filistini a/k/a Abu Ismail a/k/a Abu Umar a/k/a Abu Omar Omar a/k/a

Abu Umar Takfiri a/k/a Abu Umar umar a/k/a Ali-Samman Uthman a/k/a Omar

Mahmoud Uthman a/k/a Umar Uthman

Yassir Al-Sirri a/k/a Ammar

Mohammed Al Massari

Lujain Al-Iman

Ziyad Khaleel

Ibrahim bah

Mamdouh Mahmud Salim a/k/a Abu Hajer Al Iraqi

Sheikh Abdullah Azzam a/k/a Abu Muhammed

Abdullah Samil Bahmadan

Essam Al Ridi

**Omar Abu Omar** 

Mohammed Ali Hasan Al Moayad

Al Faroog Mosque

Yousef Jameel

Ibrahim Muhammed Afandi

Mohammed Bin Abdullah Al-Jomaith

Abdulrahman Hassan Sharbativ

Salahuddin Abduljawad

Ahmed Zaki Yamani

Ahmad Al Harbi

Mohammed Al-Issai

Hamad Hussaini

Abu Rida Al Suri a/k/a Mohammed Loay Bayazid

Saudi Red Crescent

Ahmed Brahim

Abu Musab Al-Zarqawi

Abu Ibrahim Al-Masri

Dar Al Maal Al Islami Trust

DMI Administrative Services, S.A.

Islamic Assembly of North America

Salman Al-Ouda

Safar Al-Hawali

Saleh Al-Hussaven

Sami Omar Al-Hussayen

Muhammed J. Fakihi

Case 1:03-md-01570-GBD-SN Document 208 Filed 09/08/05 Page 35 of 44 Federal Insurance Company et al., v al Qaida et al. 03 cv 6978 (RCC)

Queen City Cigarettes and Candy Agus Budiman Al-Baraka Bankcorp, Inc. Ahmed Ressam Zakariya Essabar

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COZEN O'CONNOR Attorneys for Plaintiffs Michael J. Sommi, Esq. (MS-7910) 45 Broadway, 16th Floor New York, New York 10006 (212) 509-9400



### IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACK ON SEPTEMBER 11, 2001

CIVIL ACTION NO.: 03 MD 1570

CIVIL ACTION NO.: 03 CV 6978

FEDERAL INSURANCE COMPANY;

PACIFIC INDEMNITY COMPANY;

CHUBB CUSTOM INSURANCE

COMPANY; CHUBB INDEMNITY

INSURANCE COMPANY: CHUBB

**INSURANCE COMPANY OF CANADA:** 

CHUBB INSURANCE COMPANY OF

**NEW JERSEY: GREAT NORTHERN** INSURANCE COMPANY; VIGILANT

INSURANCE COMPANY; ZURICH

AMERICAN INSURANCE COMPANY:

AMERICAN GUARANTEE AND

LIABILITY INSURANCE COMPANY:

AMERICAN ZURICH INSURANCE COMPANY; ASSURANCE COMPANY

OF AMERICA: COLONIAL AMERICAN

CASUALTY AND SURETY

INSURANCE COMPANY: FIDELITY

AND DEPOSIT COMPANY OF

MARYLAND: MARYLAND

CASUALTY COMPANY; NORTHERN

**INSURANCE COMPANY OF NEW** 

YORK: STEADFAST INSURANCE

**COMPANY; VALIANT INSURANCE** 

COMPANY: ONE BEACON

**INSURANCE COMPANY: ONE** 

**BEACON AMERICA INSURANCE** 

COMPANY; AMERICAN EMPLOYERS'

INSURANCE COMPANY; THE

**FIRST AMENDED** COMPLAINT

JURY TRIAL DEMANDED

### **NOTICE OF SUIT**

1. Title of Legal Proceeding: Federal Insurance Company, et al v. Al-Qaida,

et al; United States District Court for the Southern District of New York, Civil Action No. 03 CV 6978

2. Name of Foreign State Concerned: The Islamic Republic of Iran

3. Identities of Other Parties: A list of all parties is attached hereto as Exhibit 1.

4. Nature of Documents Served: Summons and Complaint

5. Nature and Purpose of Proceedings: Action to recover for property damage, business interruption losses, personal injuries, wrongful

deaths and other injuries resulting from the terrorist attack upon the United States of September 11, 2001 (the September 11<sup>th</sup> Attack). The Islamic Republic of Iran has been sued based on its participation in a conspiracy among the defendants to commit acts of international terrorism against the United States, its nationals and allies, of which the September 11<sup>th</sup> Attack was a direct, intended and foreseeable product. The conspiracy among the defendants to commit acts of international terrorism against the United States, its nationals and allies,

material support and resources to, al Qaida and/or affiliated foreign states, foreign terrorist

included the aiding and abetting of, and provision of

organizations, commercial entities, persons and

other parties.

6. Date of Default: N/A

- 7. A response to a "Summons" and "Complaint" is required to be submitted to the court, not later than 60 days after these documents are received. The response may present jurisdictional defenses (including defenses relating to state immunity).
- 8. The failure to submit a timely response with the court can result in a Default Judgment and a request for execution to satisfy the judgment. If a default judgment has been entered, a procedure may be available to vacate or open that judgment.

9. Questions relating to state immunities and to the jurisdiction of United States courts over foreign states are governed by the Foreign Sovereign Immunities Act of 1976, which appears in sections 1330, 1391(f), 1441(d), and 1602 through 1611, of Title 28, United States Code (Pub. L. 94-583; 90 Stat. 2891). A copy of the Foreign Sovereign Immunities Act is attached hereto.

### COZEN O'CONNOR

By:
MICHAEL J. SOMMI, ESQ. (MJS-7910)
45 Broadway Atrium, Suite 1600
New York, NY 10006
(212) 908-1244
(866) 591-9129 (direct fax)
Attorneys for Plaintiffs

Dated:	 

### OF COUNSEL:

STEPHEN A. COZEN, ESQUIRE ELLIOTT R. FELDMAN, ESQUIRE SEAN P. CARTER, ESQUIRE JOHN M. POPILOCK, ESQUIRE J. SCOTT TARBUTTON, ESQUIRE COZEN O'CONNOR 1900 Market Street Philadelphia, PA 19103 (215) 665-2000

PHILA1\1898480\1 117430.000

INTERPRETERS AND TRANSLATORS

### CERTIFICATE OF AUTHENTICITY

This is to certify that the enclosed documents, in the case of Federal Insurance Co., et al. v. Al Qaida, et al., 03-CV-6978 (S.D.N.Y.); In Re Terrorist Attack On September 11, 2001, 03-MD-1570 (S.D.N.Y.):

- Summons served upon the Syrian Arab Republic;
- Notice of Suit to the Syrian Arab Republic;
- Listing of all parties to the lawsuit in *Federal Insurance Co., et al. v. Al Qaida, et al.*, 03-CV-6978 (S.D.N.Y.);
- A copy of the Foreign Sovereign Immunities Act;
- First Amended Complaint brought in the United States District Court for the Southern District of New York;

have been translated from English into Arabic by members of Language Services Associates and is, to the best of our knowledge, ability and belief, a true and accurate translation.

Date
D
Florencia Agote
Translation Project Manager
Sworn to and subscribed before me
this 17 day of 104, 2004

17-0U

Mounted Real
Joen B. Riyan, Notary Public
Philadelphia, Philadelphia County
My Commission Expires Nov. 8, 2004
Member, Pennsylvania A: Jistion of Notaria

Case 1:03-md-01570-GBD-SN Document 1208 Filed 09/08/05 Page 40 of 44

P:VILADELPHIA ATLANTA CHARLOTTE CHERRY HILL CHICAGO DALLAS, DENVER LAS VEGAS LONDON LOS ANGELES



"EW YORK
NEWARK
SAN DIEGO
SAN FRANCISCO
SEATILE
TRENTON
WASHINGTON, DC
WEST CONSHOHOCKEN
WICHITA
WILMINGTON

A PROFESSIONAL CORPORATION

1900 MARKET STREET PHILADELPHIA, PA 19103-3508 215.665.2000 800.523.2900 215.665.2013 FAX www.cozen.com

May 20, 2004

J. Scott Tarbutton Direct Phone 215.665.7255 Direct Fax 215.701.2467 starbutton@cozen.com

J. Michael McMahon
Clerk of the Court
United States District Court for the
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, NY 10007-1312

Re: Federal Insurance Co., et al v. Al Qaida, et al

United States District Court for the Southern District for New York,

**Docket No. 03-CV-6978** 

Dear Mr. McMahon:

We represent the Plaintiffs in the above referenced September 11 lawsuit in which the Syrian Arab Republic has been named as a defendant. I am writing to request your assistance in effectuating service of process on Syria under the Foreign Sovereign Immunities Act ("FSIA"), 28 U.S.C. § 1608(a)(3).

Enclosed are three copies of the following documents, in both English and Arabic, the official language of Syria:

Federal Insurance Co. et al v. Al Qaida, et al United States District Court for the Southern District of New York, <u>Docket No. 03-CV-6978</u>

- Summons
- Notice of Suit (including copy of the FSIA and list of parties in the lawsuit)
- Complaint

Also enclosed are three copies of the notarized Certificate of Authenticity from the translator stating that the translations are complete and accurate in *Federal Insurance Co*. In addition, I am enclosing an addressed mailing envelop for your use in transmitting the *Federal Insurance Co*. materials to Syrian Ministry of Foreign Affairs as follows:



J. Michael McMahon Clerk of the Court United States District Court for the Southern District of New York May 20, 2004 Page 2

> The Syrian Arab Republic Ministry of Foreign Affairs Farouk Al-Shara Muhajereen Shora Avenue Damascus, Syria

Thank you for your assistance. If there are any questions, please do not hesitate to contact me directly.

Sincerely,

COZEN O'CONNOR

By:/ J. Scott Tarbutton

JST/wlb Enclosures

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**Declaration of Value:** You must declare the full value of all registered mail articles at the time of mailing, whether you want to purchase insurance or not.

With Postal Insurance: You can purchase postal insurance against loss or damage by paying the appropriate fee.

Without Postal Insurance: You can also send an article by registered mail without purchasing postal insurance. No indemnity is paid for uninsured articles.

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Domestic - Indemnity coverage for domestic registered mail is limited to the lesser of (1) the value of the article at the time of mailing if lost or totally damaged, or (2) the cost of repairs. Ask your postmaster for additional information about insurance limits and coverage. See *Domestic Mail Manual* S010 and S911 for limitations of coverage.

International - Indemnity coverage for international registered mail is limited to the maximum set by the Convention of the Universal Postal Union. Ask your postmaster and see the *International Mail Manual* for timitations of coverage and individual country prohibitions and restrictions.

How to File a Claim: You must file domestic claims within one year of the date the article was mailed. Effective January 1, 2001, international indemnity claims for loss must be filed within six months of the date the article was mailed. Make claims for complete or partial loss of contents, damage, or alleged rifling immediately. For complete or partial loss or damage present (1) this receipt, (2) the article, container, and packaging; and, (3) evidence to substantiate your claim.

Please do not inquire about the status of your claim for at least 3 months after you file.

ave this receipt for registered mail claims and inquirie

### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK OFFICE OF THE CLERK 500 PEARL STREET NEW YORK, NEW YORK 10007

J. MICHAEL MCMAHON CLERK

May 26, 2004

The Syrian Arab Republic Ministry of Foreign Affairs Farouk Al-Shara Muhajereen Shora Avenue Damascus, Syria

Federal Insurance Co., et al lv. Al Qaida, et al 03 Cv. 6978

Dear Sir:

Pursuant to the Foreign Sovereign Immunities Act {28U.S.C. §1608(a)(3), one copy of the following documents is being served on you on behalf of the Plaintiff in the alt we-referenced action which names your country and/or a government office as a defendant:

Summons
Amended Complaint
Notice of Suit
Certificate of Authenticity

The documents are in Arabic, your country's official language.

Respectfully yours,

lbe LaMura Chief Deputy

Enc.